

UNCLASSIFIED

11/17/77

Current Class: [REDACTED]  
Current Handling: STADIS  
Document Number: 1977BUENOS08682

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Channel: n/a

Case Number: 200000044

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ACTION HA-05

INFO OCT-01 ISO-00 ARA-10 INR-07 CA-01 SP-02 SS-15  
IO-13 INRE-00 SSO-00 /054 W

O 171530Z NOV 77  
FM AMEMBASSY BUENOS AIRES  
TO SECSTATE WASHDC IMMEDIATE 3257

[REDACTED] BUENOS AIRES 8682

STADIS////////////////////////////////

E.O. 11652: N/A  
TAGS: CVIS, PINS, SREF, SHUM, AR  
SUBJECT: ARGENTINE DETAINEES

REF: (A) STATE 277937 (B) STATE 263658 (C) BA 8526

1. FAMILY MEMBERS AND REPRESENTATIVES OF ARGENTINE CITIZENS BEING HELD BY EXECUTIVE (PEN) DECREE ARE INQUIRING AT EMBASSY AT RATE OF 10 TO 15 PER WEEK ABOUT POSSIBILITY OF PEN DETAINEES BEING ADMITTED INTO THE UNITED STATES IF, UNDER THE NEWLY INSTITUTED "RIGHT OF OPTION" PROCEDURES, THEY ARE RELEASED FROM PRISON AND PERMITTED TO LEAVE ARGENTINA. TO DATE, EMBASSY HAS RECEIVED INQUIRIES OF THIS KIND ON BEHALF OF 50 ARGENTINE DETAINEES.

2. AS DEPARTMENT IS AWARE, PETITIONS FOR RELEASE FROM DETENTION UNDER THE GOA'S LIMITED "RIGHT OF OPTION" PROGRAM MUST BE ACCOMPANIED BY A CERTIFICATE FROM THE PROSPECTIVE RECEIVING COUNTRY'S EMBASSY STATING THAT THE APPLICANT WILL BE ADMITTED TO THAT COUNTRY IF HIS RELEASE FROM DETENTION IS APPROVED.

[REDACTED]  
[REDACTED]

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3. THE EMBASSY HAS THUS FAR ISSUED ONLY ONE SUCH CERTIFICATE --

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B3NA

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

( ) Release (X) Excise ( ) Deny

Exemption(s): B3NA

Declassify: ( ) In Part (X) In Full DECLASSIFIED

( ) Classify as ( ) Extend as ( ) Downgrade to

Date Declassify on Reason

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THAT IN THE CASE OF [REDACTED]

83NA

[REDACTED] IN THIS CASE, EMBASSY FELT IT COULD ISSUE A CERTIFICATE SINCE THERE WAS REASONABLE CERTAINTY THAT [REDACTED] WOULD QUALIFY FOR AN IMMIGRANT VISA AND WOULD BE ADMISSIBLE TO THE UNITED STATES.

4. THE ISSUE REMAINS, HOWEVER, AS TO HOW TO HANDLE THE OTHER PROSPECTIVE CASES (NOW NUMBERING 50) OF INCARCERATED ARGENTINE CITIZENS MOST OF WHOM WOULD NOT QUALIFY FOR PREFERENCE STATUS FOR IMMIGRANT VISAS. WHILE WE WISH TO BE AS FORTHCOMING AS POSSIBLE IN THE HANDLING OF THESE CASES, IN ABSENCE OF AUTHORIZATION FROM THE ATTORNEY GENERAL TO PROCESS ARGENTINE DETAINEES AS PAROLEES UNDER SECTION 212(D)(5), THERE APPEARS TO BE NO PRESENT ALTERNATIVE TO TREATING SUCH CASES AS APPLICANTS FOR IMMIGRANT VISAS. ACCORDINGLY, WE ARE PROVIDING THEM, THROUGH THEIR FAMILY OR REPRESENTATIVE, WITH THE PRELIMINARY QUESTIONING KEYED FOR DETERMINING CLASSIFICATION FOR IMMIGRANT VISA PURPOSES, AS WELL AS INFORMATION ABOUT THE LABOR CERTIFICATION REQUIREMENT, ETC.

5. EMBASSY ASSUMES THAT IN SEEKING APPROVAL FROM THE ATTORNEY GENERAL FOR AUTHORIZATION FOR 500 REFUGEES AND DETAINEES FROM LATIN AMERICA (REFERENCE B), THE DEPARTMENT ENVISAGES A PROGRAM UNDER WHICH SUCH REFUGEES AND DETAINEES WILL BE ADMITTED TO THE UNITED STATES IN PAROLE STATUS UNDER CRITERIA SIMILAR TO THOSE UNDER WHICH CHILEAN, URUGUAYAN AND BOLIVIAN REFUGEES IN ARGENTINA ARE NOW BEING PROCESSED, EXCEPT THAT THE TERM "REFUGEE" WOULD NOT APPLY TO ARGENTINES UNDER DETENTION.

6. EMBASSY LOOKS FORWARD TO DISCUSSING THIS MATTER IN DETAIL  
[REDACTED]  
[REDACTED]

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WITH ASST. SECRETARY DERIAN DURING HER FORTHCOMING VISIT TO BUENOS AIRES.  
CASTRO  
[REDACTED]

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